

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **ELVIS DIAZ REYES**CASE NO: **15-04784-MCF**

Debtor(s)

Chapter 13

- AMENDED -

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$132.00** Outstanding (Through the Plan): **\$2,868.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor(s) Income is (are) ☐ Under ☒ Above Median IncomeLiquidation Value: **\$0.00**Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B) General Unsecured Pool: **\$0.00**With respect to the (amended) Plan date: Sep 17, 2015 (Dkt 21) Plan Base: **\$23,036.00**The Trustee: ☐ DOES NOT OBJECT ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 4 %

The Trustee objects to confirmation for the following reasons:

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with postpetition DSO payments.

Debtor submitted evidence of being current with post petition DSO payments until the month of September 2015. Debtor must continue to submit evidence of being current with such obligation up until the confirmation of the plan. Debtor has one DSO account being paid through ASUME.

***OTHER COMMENTS / OBJECTIONS**

-CRIM secured creditor provided for in the plan, is yet to file its proof of claim. Said creditor will not participate from the disbursements until it files its proof of claim.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: October 02, 2015

/s/ Nannette Godreau, Esq.